

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ancestry.com Operations Inc. et al.,)	Case No. 1:15-cv-00737-SSB-SKB
)	
Plaintiffs,)	Judge Sandra S. Beckwith
)	
vs.)	JOINT DISCOVERY PLAN
)	(RULE 26(f) REPORT)
DNA Diagnostics Center, Inc.,)	
)	
Defendant.)	
)	

Now come all parties to this case, by and through their respective counsel, and hereby jointly submit to the Court this Joint Discovery Plan, pursuant to the Court's Trial Procedure Order. The parties conducted their discovery conference on April 15, 2016.

A. MAGISTRATE JUDGE CONSENT

The Parties: do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

B. RULE 26(a) DISCLOSURES

The parties will exchange such disclosures by April 29, 2016.

C. DISCOVERY ISSUES AND DATES

1. Discovery will need to be conducted on the issues of:

Liability, damages, irreparable harm, and the parties' respective claims seeking invalidation of each other's trademark registrations.

2. The parties disagree about how discovery should proceed:

Plaintiffs recommend that discovery not be bifurcated.

Defendant recommends bifurcating between factual and expert.

3. The parties disagree about the expert deadlines:

<i>Event</i>	<i>Plaintiffs' proposal</i>	<i>Defendant's proposal</i>
Plaintiffs' expert reports	Sept. 12, 2016	Dec. 12, 2016
DDC's expert reports	Oct. 3, 2016	Feb. 13, 2017
All parties' rebuttal reports	Nov. 1, 2016	Mar. 13, 2017

4. The parties agree that the deadline for disclosure of non-expert (fact) witnesses should be October 3, 2016.

5. The parties disagree about the discovery deadlines:

<i>Event</i>	<i>Plaintiffs' proposal</i>	<i>Defendant's proposal</i>
Fact discovery deadline	Nov. 1, 2016	Dec. 12, 2016
Expert discovery deadline	Nov. 1, 2016	Apr. 12, 2017

6. The parties do not anticipate any discovery problems.

D. LIMITATIONS ON DISCOVERY

1. Changes in the limitations on discovery: None.

E. PROTECTIVE ORDER

The Court has entered a protective order (ECF # 26).

F. SETTLEMENT

A settlement demand has not been made by either party. Any party can make a settlement demand by November 1, 2016, and a response can be made by December 1, 2016.

G. MOTION DEADLINES

The parties disagree about motion deadlines:

<i>Event</i>	<i>Plaintiffs' proposal</i>	<i>Defendant's proposal</i>
Motion to amend pleadings and/or add parties	Sept. 1, 2016	July 1, 2016
Motions relative to the pleadings	Sept. 1, 2016	April 15, 2016
Dispositive motions	Dec. 1, 2016	May 12, 2017

H. OTHER MATTERS PERTINENT TO MANAGEMENT OF THIS LITIGATION

None.

Dated: April 20, 2016

Respectfully submitted,

/s/ Alexis K. Arena

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Certificate of Service

I hereby certify that on April 20, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

Dated: April 20, 2016

/s/ Alexis K. Arena

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